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1 — E.P.A. Announces Repeal of Major Obama-Era Carbon Emissions Rule, NY Times, 10/9/17

https://www.nytimes.com/2017/10/09/climate/clean-power-plan.html?_r=1

The Trump administration announced on Monday that it would take formal steps to repeal President Barack Obama's signature policy to curb greenhouse gas emissions from power plants, setting up a bitter fight over the future of America's efforts to tackle global warming. At an event in eastern Kentucky, Scott Pruitt, the head of the Environmental Protection Agency, said that his predecessors had departed from regulatory norms in crafting the Clean Power Plan, which was finalized in 2015 and would have pushed states to move away from coal in favor of sources of electricity that produce fewer carbon emissions.

2 — Nuclear environmental group appeals EPA decision on LANL discharge, LaMonitor, 10/9/17

<http://www.lamonitor.com/content/nuclear-environmental-group-appeals-epa-decision-lanl-discharge>

A New Mexico environmental and nuclear safety organization is appealing a request rejected by the U.S. Environmental Protection Agency that could have made sampling soil at a dormant discharge area on Los Alamos National Laboratory property possible. A pipe that discharged nuclear and chemical waste from 1963-2010 on Los Alamos National Laboratory is exempt from Clean Water Act testing. Concerned Citizens for Nuclear Safety filed an appeal with EPA's Region 6 office March 9 to end Clean Water Act protection for a waste discharge pipe connected to LANL's Radioactive Liquid Waste Treatment Facility.

3 — What's being done about Superfund sites around Oklahoma, KFOR, 10/10/17

<http://kfor.com/2017/10/10/whats-being-done-about-superfund-sites-around-oklahoma/>

Many Oklahomans know about our most famous Superfund site, near the abandoned mine town of Picher, Oklahoma in the far northeastern corner of the state. In Ottawa County, you'll find man-made mountains of lead-laden toxins. They are a reminder of a time when environmental disasters were born; decades when industry trumped health and safety.

4 — High Levels Of Lead In Soil Raise Parents' Concerns, News 9, 10/10/17

<http://www.news9.com/story/36557945/high-levels-of-lead-in-soil-raise-parents-concerns>

Construction projects in Philadelphia's river wards are on the rise. Some parents worry that when construction crews don't follow dust regulations, hazardous lead particles could end up in places where children play. The Philadelphia Inquirer and Daily News recently tested more than 100 parks, playgrounds and backyards in the city's river wards. Nearly 75 percent of the areas tested had hazardous levels of lead.

5 — J.T. WILLIAMS: EPA THREATENS GALVESTON BAY WITH TOXIC WASTE DISASTER, Heartland, 10/9/17

<https://www.heartland.org/multimedia/podcasts/jt-williams-epa-threatens-galveston-bay-with-toxic-waste-disaster>

Against the advice the U.S. Army Corp of Engineers the Environmental Protection Agency is threatening to dredge a Superfund site in Texas an operation that is likely to pollute the San Jacinto River and Galveston Bay. J.T. Williams, executive director of the Galveston Maritime Business Association describes a dangerous situation in Texas. Against the advice the U.S. Army Corp of Engineers and the Texas Commission of Environmental Quality, and the wishes of

the business and property owners communities in the region, holdovers from the Obama administration EPA Region 6 are threatening to pursue a dredging operation at a Superfund site in Texas that is likely to pollute the San Jacinto River and Galveston Bay.

6 — East Ascension drainage officials agree to dredge New River Bayou, remove two weirs, Advocate, 10/9/17

http://www.theadvocate.com/baton_rouge/news/communities/ascension/article_08484f82-ad42-11e7-9956-533fd66c4654.html?utm_medium=social&utm_source=twitter&utm_campaign=user-share

East Ascension drainage officials agreed Monday to dredge nearly three miles of a major waterway through the heart of Gonzales and to remove two longstanding weirs thought to inhibit drainage, but held off backing another nearly \$94 million in other drainage projects across the parish for at least a month. An on-and-off topic through the years, the plan to remove the weirs and dredge New River Bayou is estimated to cost several million dollars and is among 15 projects listed on the five-year capital improvement plan the East Ascension Gravity Drainage District Board of Commissioners was expected to consider Monday.

7 — After hurricanes, Congress ponders future of flood insurance program, Texas Tribune, 10/9/17

<https://www.texastribune.org/2017/10/09/flood-insurance/>

The devastating hit Houston took from Hurricane Harvey has exacerbated — and highlighted — the enormous financial jam facing the National Flood Insurance Program. Thanks to the recent onslaught of hurricanes hitting Texas, Florida and Puerto Rico, there has never been a greater need for the program. But that need has also set off a new round of calls to dramatically overhaul a program that hasn't been able to sustain itself without major subsidies from the U.S. Treasury.

8 — Are Electric Vehicles Pushing Oil Demand Over a Cliff?, Inside Climate News, 10/10/17

<https://insideclimatenews.org/news/10102017/electric-vehicles-killing-oil-demand-china-gm-ev-future-automakers>

A research note from Barclay's Bank last week summed up what the boom in electric vehicles, along with gains in fuel efficiency, might mean for oil demand—a reduction, by 2025, almost as large as Iran's total production. And if electric vehicles seize a third of the car market by 2040, the drop in demand would be nearly as much as Saudi Arabia produces. That kind of jaw-dropping outlook has become increasingly common in recent months amid signs that a tipping point is coming for electric vehicles.

9 — Complaints surge about weed killer dicamba's damage to oak trees, Investigate Midwest, 10/9/17

<http://investigatemidwest.org/2017/10/09/complaints-surge-about-weed-killer-dicambas-damage-to-oak-trees/>

As soybean and cotton farmers across the Midwest and South continue to see their crops ravaged from the weed killer dicamba, new complaints have pointed to the herbicide as a factor in widespread damage to oak trees. Monsanto and BASF, two of agriculture's largest seed and pesticide providers, released versions of the dicamba this growing season. The new versions came several months after Monsanto released its latest cotton and soybean seeds genetically engineered to resist dicamba in 2016.

10 — After Harvey, mosquito-sprayed rice still counts as organic, Greenwire, 10/9/17

<https://www.eenews.net/greenwire/2017/10/09/stories/1060063015>

The Department of Agriculture has announced that mosquito spraying in the aftermath of Hurricane Harvey did not compromise Texas' crop of organic rice, a big relief for growers. After the storm dumped an estimated 34 trillion gallons of rain on Texas, state and federal officials asked the Air Force to blanket swaths of the state with pesticides to prevent mosquitoes from breeding in standing pools of water and spreading disease.

11 Environmental Groups Worry About New EPA Haze Rule, Houston Public Media, 10/9/17

<http://www.houstonpublicmedia.org/articles/news/energy-environment/2017/10/09/241519/environmental-groups-worry-about-new-epa-haze-rule/>

Environmental groups are worried the Environmental Protection Agency is giving Texas power plants a pass on pollution. The agency has decided that plants won't need to install new emissions controls to clean up haze over national parks. The Obama Administration had pushed for the controls. Now, the EPA is planning to let Texas power plants pursue "alternatives." Those include a new "cap and trade" emissions credit program within the state.

12 HURRICANE NATE HALTS OVER 90 PERCENT OF GULF OIL PRODUCTION, Texas Standard, 10/10/17

<http://www.texasstandard.org/stories/categories/energy-environment/>

Over the weekend, Hurricane Nate made landfall in Mississippi, making it the fourth storm to hit the U.S. this year. Though the hurricane missed Texas' energy-producing Gulf Coast, the oil industry did not emerge from the storm unscathed. Matt Smith, director of commodity research at ClipperData, says that Hurricane Nate's effect on the energy industry in Texas is the direct opposite of Harvey's impact. Although very few offshore refineries have been damaged due to the storm, a great many refineries in the Gulf were offline as of yesterday.

13 The E.P.A.'s Smoke and Mirrors on Climate, NY Times, 10/9/17

https://www.nytimes.com/2017/10/09/opinion/environmental-protection-obama-pruitt.html?_r=0

The Trump administration has mangled the costs and benefits of one of the most significant climate regulations of the Obama years in an effort to justify its repeal, which Scott Pruitt, the administrator of the Environmental Protection Agency, announced on Monday. In a leaked series of new analyses, the agency claims that jettisoning the Clean Power Plan, which limits planet-warming carbon dioxide emissions from the nation's power plants, will save electric power producers up to \$33 billion annually by 2030.

CLIMATE

E.P.A. Announces Repeal of Major Obama-Era Carbon Emissions Rule

By LISA FRIEDMAN and BRAD PLUMER OCT. 9, 2017

WASHINGTON — The Trump administration announced on Monday that it would take formal steps to repeal President Barack Obama’s signature policy to curb greenhouse gas emissions from power plants, setting up a bitter fight over the future of America’s efforts to tackle global warming.

At an event in eastern Kentucky, Scott Pruitt, the head of the Environmental Protection Agency, said that his predecessors had departed from regulatory norms in crafting the Clean Power Plan, which was finalized in 2015 and would have pushed states to move away from coal in favor of sources of electricity that produce fewer carbon emissions.

“The war on coal is over,” Mr. Pruitt said. “Tomorrow in Washington, D.C., I will be signing a proposed rule to roll back the Clean Power Plan. No better place to make that announcement than Hazard, Ky.”

The repeal proposal, which will be filed in the Federal Register on Tuesday, fulfills a promise President Trump made to eradicate his predecessor’s environmental legacy. Eliminating the Clean Power Plan makes it less likely that the United States can fulfill its promise as part of the Paris climate agreement to ratchet down emissions that are warming the planet and contributing to heat waves and sea-level rise. Mr. Trump has vowed to abandon that international accord.

It also is a personal triumph for Mr. Pruitt, who as Oklahoma attorney general helped lead more than two dozen states in challenging the rule in the courts. In announcing the repeal, Mr. Pruitt made many of the same arguments that he had made for years to Congress and in lawsuits: that the Obama administration exceeded its legal authority in an effort to limit greenhouse gas emissions from power plants. (Last year, the Supreme Court blocked the rule from taking effect while courts assessed those lawsuits.) A leaked draft of the repeal proposal asserts that the country would save \$33 billion by not complying with the regulation and rejects the health benefits the Obama administration had calculated from the original rule.

Coal- and natural-gas-fired power plants are responsible for about one-third of America's carbon dioxide emissions. When the Clean Power Plan was unveiled in 2015, it was expected to cut power sector emissions 32 percent by 2030, relative to 2005. While many states are already shifting away from coal power for economic reasons, experts say scrapping the rule could slow that transition.

Environmental groups and several states plan to challenge the repeal proposal in federal courts, arguing against Mr. Pruitt's move on both scientific and economic grounds.

Industry groups cheered the announcement, but have also indicated that they would prefer that Mr. Pruitt replace the Clean Power Plan with a new, more modest regulation on power plants in order to blunt any court challenges. The E.P.A. is still required to regulate greenhouse-gas emissions because of a 2009 legal opinion known as the endangerment finding.

"We have always believed that there is a better way to approach greenhouse gas emissions reductions," Karen A. Harbert, the president of the Chamber of Commerce's Global Energy Institute, said in a statement. "It's time to come the opportunity for business to be at the table with tl er stakeholders to develop an approach that lowers emissions, preserves America's energy advantage and respects the bounds of the Clean Air Act."

How would targets be changed?

6

ARTICLE 3: COMMENTING

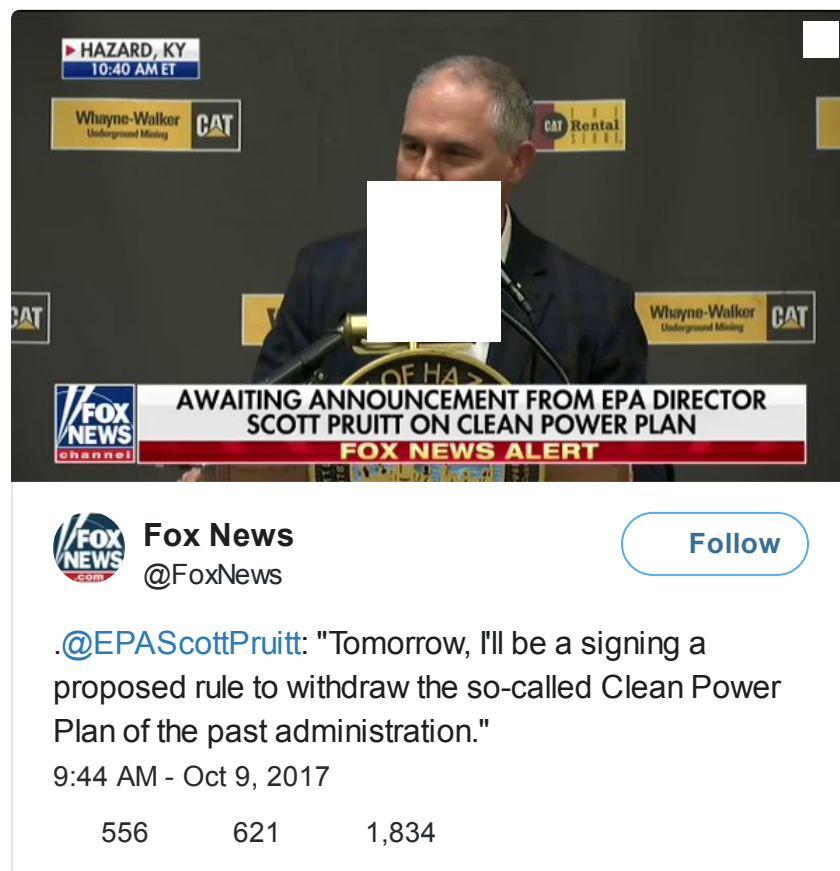
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In order to regulate pollution from existing power plants, the E.P.A. has to set goals for each state based on what is technically feasible and cost-effective. Under the Clean Power Plan, the Obama administration set targets by assuming utilities could improve the efficiency of their coal plants, shift from coal to cleaner natural gas and add more renewable energy to their grids.

But Mr. Obama's approach was controversial, because the E.P.A. assumed utilities could reduce emissions at individual plants by taking actions outside of those plants — say, by replacing coal plants with wind farms elsewhere. Industry groups and more than two dozen states challenged this move in court, arguing that the E.P.A. can look only at cleanup measures that can be undertaken at the plants themselves.

Mr. Pruitt is proposing to repeal the Clean Power Plan on this basis. He also argued that the Obama administration overstated the benefits of its rule by factoring in the gains from curbing global warming in other countries as well as from reducing harmful air pollutants other than carbon dioxide.



If Mr. Pruitt does end up pursuing a replacement rule, it would almost certainly be confined to inside-the-fence-line measures, like upgrading coal-plant boilers. Previous E.P.A. analyses found that such upgrades would lead to a roughly 4 percent increase in efficiency at coal plants.

What is the impact on emissions?

While the repeal of the Clean Power Plan offers a reprieve for America's coal industry, it is unlikely to halt the decline of coal altogether. Even in the absence of the rule, many utilities across the country have opted to shift to natural gas, wind and solar, driven by cost concerns and state-level policies. Many states, like California and New York, are already moving ahead of the targets set by the Clean Power Plan as they develop their own climate policies.

Gov. John Hickenlooper of Colorado, a Democrat, noted that his state planned to exceed the goals that had been set under the Clean Power Plan because the state was closing coal plants early and developing jobs in wind and other renewables.

"We have dramatically cleaner air and we are saving money. My question to the E.P.A. would be, 'Which part of that don't you like?'" Mr. Hickenlooper said.

A new analysis by the research firm Rhodium Group estimated that United States electricity emissions are currently on track to fall 27 to 35 percent below 2005 levels by 2030, roughly in the range of what the Clean Power Plan originally envisioned, even if the regulation is repealed.

But John Larsen, the author of the Rhodium Group analysis, estimated that if Mr. Obama's policies had remained in place, as many as 21 states would have had to make deeper reductions than they are currently expected to do without the rule — including Texas, West Virginia, Georgia, Pennsylvania and Wisconsin — and emissions most likely would have fallen further than the 32 percent originally envisioned.

"So for certain states," Mr. Larsen wrote, "today's announcement is a big deal."

Experts also note that the Clean Power Plan would have prevented a rebound in coal use in case natural gas unexpectedly became more expensive or various policies to promote renewable energy were blunted. The repeal comes on the heels of a proposal by the Department of Energy to subsidize coal and nuclear plants by revamping electricity markets.

Jody Freeman, director of the environmental law program at Harvard Law School, said the Energy Department proposal combined with the Clean Power Plan repeal signaled that the Trump administration was putting its thumb on the scale in favor of fossil fuels.

“You see a pretty powerful message. Disavow any effort to control greenhouse gases in the power sector, and instead, intervene in the market to promote coal. It’s a wow,” she said.

What happens next?

Mr. Pruitt’s proposal for repeal will now have to go through a formal public-comment period before being finalized, a process that could take months. Mr. Pruitt will also ask the public for comment on what a replacement rule should look like, but the E.P.A. has not offered a timeline.

Environmental groups and Democratic-controlled states are expected to challenge these moves on multiple fronts.

The attorneys general of New York and Massachusetts said they intended to sue the E.P.A. once the repeal is finalized.

“Fuel-burning power plants are one of our nation’s largest sources of climate change pollution, and common-sense science — and the law — dictate that E.P.A. take action to cut these emissions,” Eric T. Schneiderman, New York’s attorney general, said in a statement. “I will use every available legal tool to fight their dangerous agenda.”

That raises the question of whether the Trump administration can craft and finalize a replacement rule by the 2020 election. Failure to do so, some industry

groups worry, could allow a new administration to start over and impose a more stringent climate plan on power plants.

Partly for that reason, many states are already preparing for the prospect of tougher carbon regulations down the road.

Consider Arkansas, one of the states that challenged the Clean Power Plan in court. Ted J. Thomas, the chairman of the Arkansas Public Service Commission, says that his state is nonetheless in the process of shifting from coal to cheaper natural gas. The initial rule also persuaded the state to start exploring clean-energy options, like expanding wind power, promoting the use of smart meters and developing a working group to look at carbon capture technology for coal plants.

“Even if they repeal the Clean Power Plan, or replace it with something that doesn’t require us to do very much, you still have to reckon with the fact that ultimately regulations on carbon are coming,” Mr. Thomas said. “So we need to develop options to deal with that other than sticking our heads in the sand and hoping we can just file lawsuits forever.”

“You can either be prepared or unprepared,” he added, “and that’s a pretty simple choice.”

Correction: October 9, 2017

An earlier version of this article misstated the findings of a Rhodium Group analysis. The report found that power sector emissions were projected to fall 27 to 35 percent below 2005 levels by 2030, not by 2025.

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A version of this article appears in print on October 10, 2017, on Page A1 of the New York edition with the headline: E.P.A. Announces Bid to Roll Back Emissions Policy.

Nuclear environmental group appeals EPA decision on LANL discharge

By Tris DeRoma

Monday, October 9, 2017 at 4:59 pm

A New Mexico environmental and nuclear safety organization is appealing a request rejected by the U.S. Environmental Protection Agency that could have made sampling soil at a dormant discharge area on Los Alamos National Laboratory property possible.



Concerned Citizens for Nuclear Safety/Courtesy

A pipe that discharged nuclear and chemical waste from 1963-2010 on Los Alamos National Laboratory is exempt from Clean Water Act testing.

Concerned Citizens for Nuclear Safety filed an appeal with EPA's Region 6 office March 9 to end Clean Water Act protection for a waste discharge pipe connected to LANL's Radioactive Liquid Waste Treatment Facility.

The group wants the protection removed so the pipe and facility can be regulated under the Hazardous Waste Act.

If that happens, the soil from the pipe's discharge would have to be tested for chemical and nuclear waste that was discharged from the pipe.

According to the organization, the pipe was active from 1963 to 2010. LANL's facility stopped discharging liquid waste from the system in 2010. The facility instead began using an evaporator system to remove the water discharge.

Before 2010, the discharge went into Mortandad Canyon, which is the site of another discharge cleanup, when a plume of Chromium 6 was discovered in 2005.

"We have to protect this regional drinking water aquifer that EPA Region 6 has designated a sole source aquifer," CCNS Executive Director Joni Arends said.

Concerned Citizens for Nuclear Safety is appealing the rejection to the EPA's Environmental Appeals Board.

"It's part of protecting our regional drinking water point," Arends said. "The DOE (Department of Energy) has contaminated groundwater at every one of its sites... We can't think that we're exempt. We need to be as proactive as possible to protect our water here in the Southwest that's subject to so many factors, more use, climate change, all of these different things."

EPA Region 6 officials rejected the organization's request, saying the argument that it gives LANL an exemption from waste treatment regulation is "outside the scope of our decision."

EPA Region 6 Water Division Director William Honker explained the decision in an Aug. 16 letter addressed to the group's legal representative.

"Whether or not issuance of NPDES (National Pollutant Discharge Elimination System) permit coverage might trigger the RCRA WWTU regulatory exemption has no bearing on EPA's NPDES permitting decisions, which must be based on the requirement of the CWA and implementing regulations," Honker said in the letter.

What's being done about Superfund sites around Oklahoma

POSTED 7:02 AM, OCTOBER 10, 2017, BY ALI MEYER, *UPDATED AT 07:03AM, OCTOBER 10, 2017*

What's being done about superfund sites around Oklahoma



PICHER, Okla. -- Many Oklahomans know about our most famous Superfund site, near the abandoned mine town of Picher, Oklahoma in the far northeastern corner of the state.

In Ottawa County, you'll find man-made mountains of lead-laden toxins.

They are a reminder of a time when environmental disasters were born; decades when industry trumped health and safety.

The town of Picher was abandoned years ago; after a federal EPA buyout all of the willing residents left.

The largest Superfund site in Oklahoma is known as Tar Creek. Forty square miles in northeastern

It's 40 square miles in northeastern Oklahoma where the land and the water are so polluted the EPA has said it's not safe to live in the area.

There is progress being made in Picher.

The Quapaw Indian Tribe is working to remove the chat piles, and researchers from Oklahoma University are cleaning up the rust-red of Tar Creek.

"We want to treat the bad water that goes into the creek," said Oklahoma University Environmental Science researcher, Dr. Robert Nairn.

Nairn and OU grad students are problem-solving en masse.

They are using mushroom compost microbes to literally eat up the metals that have leached into the water.

"I tell my students we build it and they will come," Dr. Nairn said. "You build the ecosystem, give it the right conditions, then let the natural processes will happen."

Did you know there are more than a dozen Superfund sites around Oklahoma?

In fact, there are Superfund sites sitting in the shadow of downtown Oklahoma City.





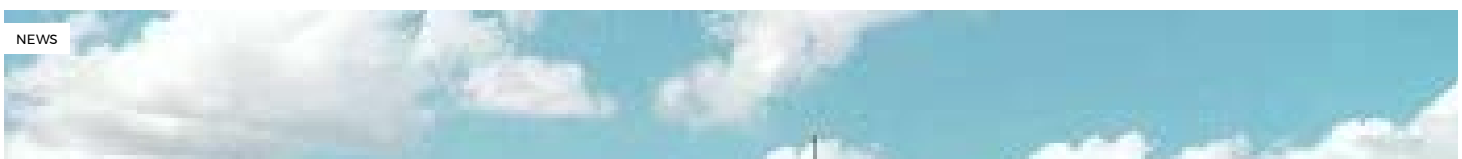
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Why in the world is one Oklahoma High School building a house on campus?



NEWS

High Levels Of Lead In Soil Raise Parents' Concerns

Posted: Oct 10, 2017 1:19 AM CDT Updated: Oct 10, 2017 1:48 AM CDT

BY CBS NEWS



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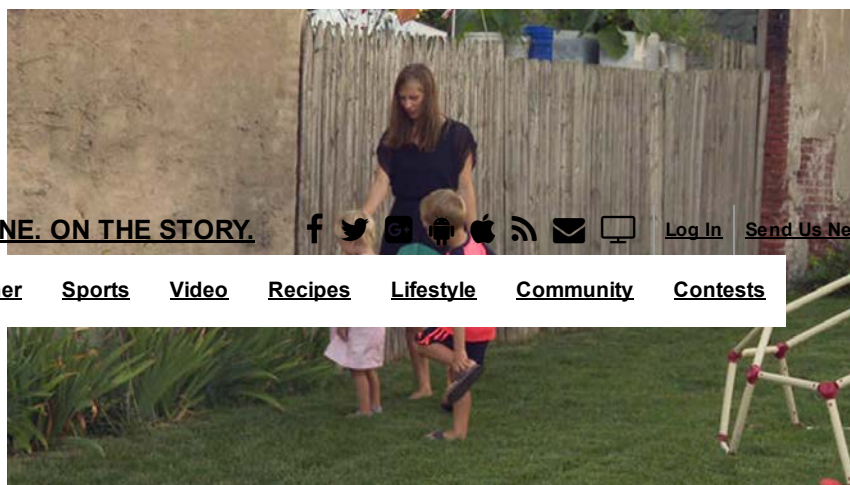
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PHILADELPHIA - Construction projects in Philadelphia's river wards are on the rise. Some parents worry that when construction crews don't follow dust regulations, hazardous lead particles could end up in places where children play.

[The Philadelphia Inquirer and Daily News recently tested](#) more than 100 parks, playgrounds and backyards in the city's river wards. Nearly 75 percent of the areas tested had hazardous levels of lead.

There's not a day that goes by that Jana Curtis and her husband, Bill Pace, don't look at their three-year-old daughter Nolyn, and wonder whether she'll have lifelong damage from lead.

"She gets frustrated really easily," Curtis told CBS News correspondent Jericka Duncan. "And you know, that could be every three-year-old, or it could be as a result of that elevated lead. You just won't know."

In 2015, her parents found out Nolyn had a blood lead level of 14. That's [almost three times the level the CDC says is cause for concern](#).

Their initial reaction? "Heartbroken, really," Curtis said. "You know, you do so much to protect your kids, and then to realize that you failed in that is terrifying."

Exposure to abnormally high levels of lead can cause developmental delays. At one-and-a-half, Nolyn spoke only two words. Her parents quickly enrolled her in speech therapy.

And the more research Bill Pace did, the more scared he became for his daughter.

The family found out their backyard soil had elevated levels of lead, only after the Environmental Protection Agency went door-to-door to test homes for lead, including its soil.

- [Children suffer from lead poisoning in 3,000 U.S. neighborhoods](#) ("CBS Evening News,



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For the past several years, the EF had been doing that type of testing in their neighborhood, because the area was once home to at least 14 chemical plants that released lead waste.

The family's soil sample came back at over 1,100, "which is close to three times the limit for playspaces for kids," Curtis said.

Recent town hall meetings have been packed with parents of small children who are concerned about the various ways lead can spread.

Reporter Wendy Ruderman worked on the Philadelphia Inquirer/Daily News investigation. She says unregulated construction sites may be contributing to the problem.

"We found lots of sites with just giant, heaping piles of dirt left uncovered, blowing in the wind," Ruderman said.



Philadelphia Health Commissioner Dr. Thomas Farley.

CBS NEWS

Dr. Thomas Farley, Philadelphia's Health Commissioner, said, "The most important thing is to be wetting material so that dust isn't generated when they demolish the houses."

"Have the contractors been doing that?" Duncan asked.

"We know that the contractors are not following those recommendations now, or those requirements now," he replied.

After the interview, a spokeswoman for the city said that parks and recreation facilities near a construction site will now be hosed down several times a week; signs will now be posted at all parks and recreation facility sites reminding kids to wash their hands; and contractors have been sent letters reminding them of the city's air management quality laws.

But Dr. Farley said lead levels in children outside of the river ward area are even higher. "We think the primary sources of exposure for lead in children today is the interior paint," he said.

The CDC says that, nationwide, lead paint may account for up to 70 percent of elevated lead levels in children.

"There may very well be some contribution from soil, but that doesn't appear to be the major source," Dr. Farley said.

But any source, says father of three Bill Pace, is worthy of the city's attention. "If you really want to eradicate lead poisoning in the kids in this city, you have to take away a hundred percent, not seventy. And to ignore the thirty percent, I think, is a huge mistake."

Nolyn's parents replaced the topsoil, and now mop twice a day, to avoid further lead exposure.

Nolyn's blood lead level is now at four, and she's taking iron supplements. Her parents say she is doing better, but they're still worried.



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J.T. WILLIAMS: EPA THREATENS GALVESTON BAY WITH TOXIC WASTE DISASTER

OCTOBER 9, 2017

By [H. Sterling Burnett](#)

▶ 00:00 / 32:01    

Against the advice the U.S. Army Corp of Engineers the Environmental Protection Agency is threatening to dredge a Superfund site in Texas an operation that is likely to pollute the San Jacinto River and Galveston Bay.



J.T. Williams, executive director of the Galveston Maritime Business Association describes a dangerous situation in Texas. Against the advice the U.S. Army Corp of Engineers and the Texas Commission of Environmental Quality, and the wishes of the business and property owners communities in the region, holdovers from the Obama administration EPA Region 6 are threatening to pursue a dredging operation at a Superfund site in Texas that is likely to pollute the San Jacinto River and Galveston Bay.

The Army Corp has said even under the best conditions, dredging will likely pollute the river and the bay, whereas installing a permanent cap over the waste site will be safe and economical. While Hurricane Harvey damaged the existing temporary cap on the site, now harmful waste leaked from the pit and it has been repaired. Even if EPA's dredging goes well, it will likely harm the watershed, wildlife, homeowners, and businesses in the area.

ARTICLE TAGS

ENVIRONMENT

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http://www.theadvocate.com/baton_rouge/news/communities/ascension/article_08484f82-ad42-11e7-9956-533fd66c4654.html

East Ascension drainage officials agree to dredge New River Bayou, remove two weirs

BY DAVID J. MITCHELL | DMITCHELL@THEADVOCATE.COM OCT 9, 2017 - 9:45 PM



Advocate staff photo by David J. Mitchell -- Water flows Monday, Oct. 9, 2017, over one of two weirs in New River Bayou near Gonzales. East Ascension drainage officials agreed Monday night to remove this and the other weir a few miles upstream of this site. The weir pictured is next to Weber City Road, just downstream of Airline Highway in Gonzales near Cane's, Picadilly and other restaurants.

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David Mitchell

GONZALES — East Ascension drainage officials agreed Monday to dredge nearly three miles of a major waterway through the heart of Gonzales and to remove two longstanding weirs thought to inhibit drainage, but held off backing another nearly \$94 million in other drainage projects across the parish for at least a month.

An on-and-off topic through the years, the plan to remove the weirs and dredge New River Bayou is estimated to cost several million dollars and is among 15 projects listed on the five-year capital improvement plan the East Ascension Gravity Drainage District Board of Commissioners was expected to consider Monday.

Put on hold for now are other projects Ascension Parish drainage officials have been working on for years, so a vote of support would appear to be a formality, while other projects are newer or are dormant ideas that have received a second look after last year's historic flood.

Story Continued Below

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Among the capitol projects plan is a \$5 million plan to dredge Bayou Manchac, which has been discussed before but has new, if early momentum in the past year, and a \$22 million extension of Ascension's eastern levee system.

The Laurel Ridge Levee extension, which will provide further protection to the St. Amant, Galvez and Lake areas, has been in parish plans for decades, but, in recent years, the project has come closer to reality. Most recently, it has moved into land acquisition and wetlands mitigation process and is close to receiving key federal permits, parish engineering consultants said Monday.

The capital projects plan, which extends to 2022, counts on \$53.5 million in revenue from eastern Ascension's half-cent sales tax and 5-mill property tax, both dedicated to drainage, and another \$43 million in federal dollars, including \$33 million in hazard mitigation money coming to the parish from the Federal Emergency Management Agency after last year's flood.

But the drainage board did not receive the list until Monday night and decided to delay consideration until next month.

The removal of the weirs in New River is something of a revived idea from the past as well.

In the past year, the concept has been a topic of regular discussion and the board gave its initial backing to the concept of removing the weirs and dredging the bayou but left open the cost, final design of the work and any cost share from the city of Gonzales, pending an engineering report.

Unlike another weir in the Amite River which Ascension and other parishes are considering repairing, Ascension officials want the New River weirs removed.

The weirs serve as small dams that allow water to flow over them. One weir on New River Bayou is near Smith Bayou and the Legacy Oaks neighborhood and another is along Weber City Road behind the Walmart in Gonzales.

Bill Roux, the parish public works director, said the weirs were designed solely for making New River Bayou look like a river by holding up an artificially high level of water in the bayou. But Roux said sediment and other material has gotten trapped behind the weirs and also held up sediment in upstream waterways that drain into New River Bayou, including Bayou Goudine.

Roux added that weirs also inhibit the parish's ability to drain the levels of waterways with pumping ahead of major storms and hurricanes.

"We can't get any more out of the system unless we remove the weir. It's constant, and it fills up with sediment so you lose storage and everything else," Roux said.

But before the vote, one critic said removing the weir would cause fish kills, a foul smell from sewage trapped behind the weir, and ultimately flooding from the vegetation that would grow in the exposed waterway.

"You will get plenty, plenty calls from your constituents, which is probably about five or six (council) districts, about the smell and the overall effect of what we're doing," said Clint Cointment, a Gonzales surveyor who ran for parish president in 2015.

Cointment has previously said the parish should have pursued another, older plan that would have installed a new removable weir that could let water flow.

Cointment on Monday recommended that before the parish remove the weirs, they dredge the bayou with the water still in it to keep the odor down.

After hurricanes, Congress ponders future of flood insurance program

Congress is beginning to consider how to overhaul the flood insurance plan that many Texans are relying on to rebuild after Hurricane Harvey.

BY **ABBY LIVINGSTON** OCT. 9, 2017 12 AM



Water remains on a street below the Barker Reservoir dam in Houston on Monday, Sept. 18, 2017.

Michael Stravato for The Texas Tribune

WASHINGTON - The devastating hit Houston took from Hurricane Harvey has exacerbated — and highlighted — the enormous financial jam facing the National Flood Insurance Program.

Thanks to the recent onslaught of hurricanes hitting Texas, Florida and Puerto Rico, there has never been a greater need for the program. But that need has also set off a new round of calls to dramatically overhaul a program that hasn't been able to sustain itself without major subsidies from the U.S. Treasury.

Republican U.S. Rep. [Pete Olson](#)'s Sugar Land-based district suffered some of the most intensive flooding in the state. He said he is open to some changes, but not if it risks payouts on Harvey claims his constituents are filing. He is quick to underscore the desperation in his suburban Houston district and doesn't want changes to make things worse.

"It should be part of the package but not a do-all, end-all," Olson said of any potential overhaul.

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Established in 1968 to help homeowners living in flood-prone areas that private insurers wouldn't cover, the program has never been on steady financial footing, and continued construction in low-lying areas — as well as more frequent and powerful storms attributed to climate change — have put the NFIP deeply in the red.

As a result, Congress repeatedly finds itself re-authorizing new money to support the program. Even before Hurricanes Harvey and Irma, the program was set to expire on Sept. 30, and no new insurance policies can be written until it's re-authorized again.

Few home insurance policies cover flood damage, and nearly all U.S. flood insurance policies are issued through the program. To qualify for national flood insurance, a home must be in a community that has agreed to adopt and enforce various policies to reduce flooding risk. The program has more than 584,000 active policies in Texas, more than any state but Florida.

It's hard to find a member of Congress who will call for an outright abolition of the program, which would likely destabilize real estate markets and property tax bases in those areas. So the aim among some legislators is to pass laws that will encourage homeowners to move into the private market.

One option is to raise the premiums for government insurance to help sustain the program, discourage new construction in high-risk areas and hope that as rates rise, more private companies will enter the flood insurance market.

The fear of many lawmakers who represent these homeowners is that a substantial rise in rates will be more than some can afford.

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The issue had the potential to become a crisis as congressional insiders worried that re-authorizing the program [could get tangled up in fights over raising the debt ceiling and funding the government.](#) But to the surprise of nearly everyone, President Trump cut a deal with Democratic leaders to re-authorize the program for the short-term and push all of those big decisions into December.

Now, activists and member of Congress who want to overhaul the flood insurance program have an opportunity to make their case over the next couple of months.

They argue that government-subsidized insurance encourages more people to build in flood-prone areas — which then forces the government to rebuild their homes after every flood at taxpayer expense.

"We keep rebuilding areas that are at a very expensive cost to taxpayers," said U.S. Rep. [Vicente Gonzalez](#), D-McAllen.

Those advocating an overhaul include taxpayer watchdogs, environmentalists, insurance companies and members of Congress who oppose bailing out areas that allowed building in flood-prone areas. They're pushing for legislation that requires better flood plain mapping that takes climate change into account, stricter building regulations requiring measures like elevating homes and buildings to reduce flood risk, and setting sustainable insurance rates that won't shock the market.

A powerful trifecta of interests groups comprised of bankers, real estate agents and home construction companies have [fought these efforts.](#)

Back in 2012, former President Obama signed into law [a major Congressional overhaul](#) of the flood insurance program. Among the changes: eliminating subsidies for homes that are repeatedly damaged by flooding.

But some homeowners and their representatives in Congress protested the steep price increase. In early 2014, Congress and Obama reversed course, [passing into law](#) a cap that would limit premium increases and mostly unwound the 2012 efforts.

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Now, many House members are pushing to let the private market take over the job of insuring properties in flood zones.

Gonzalez serves on the U.S. House Financial Services Committee, which oversees flood insurance. A former attorney, he is no fan of what he describes as the program's drawn-out claims process.

"I think government shouldn't, probably, be in the business of insurance," he said.

U.S. Rep. [Jeb Hensarling](#), R-Dallas and chair of the House Financial Services Committee, is a key player in this debate. He has pushed for [reauthorization of the program](#), but wants to raise the premiums for government-sponsored policies to encourage homeowners to seek private insurance.

"As unfortunately the NFIP faces an uncertain future, we must ensure people have more affordable flood insurance options as they begin to rebuild," he said last week.

The first stab at changes came last week when two Floridians in Congress, U.S. Reps. Kathy Castor, a Democrat, and Dennis Ross, a Republican, attached legislation to an unrelated bill that would allow mortgage lenders to accept homeowners' use of private flood insurance instead of government insurance.

The Castor-Ross measure passed the U.S. House, but the Senate quickly axed it out of the bill. That drew a rebuke from Hensarling, who said the Senate was "letting an opportunity slip through its fingers to give flood victims and homeowners better and more affordable flood insurance options."

Supporters of the legislation in the House say they are undeterred, believing it's the most popular proposal for changing the program and will inevitably pass.

For now, no one on Capitol Hill seems inclined to increase the misery of those affected in Houston by drastically changing the flood insurance program for those who are currently filing claims. And the Florida and Texas delegations have vowed to combine their legislative firepower to protect their constituencies — members from both parties say protecting the program is a key priority.

"We've got to fix it because it's going bankrupt," said Olson, the congressman from Sugar Land. "People depend on it."

This story was produced in partnership with the [Ravitch Fiscal Reporting Program](#) at the [CUNY Graduate School of Journalism](#).

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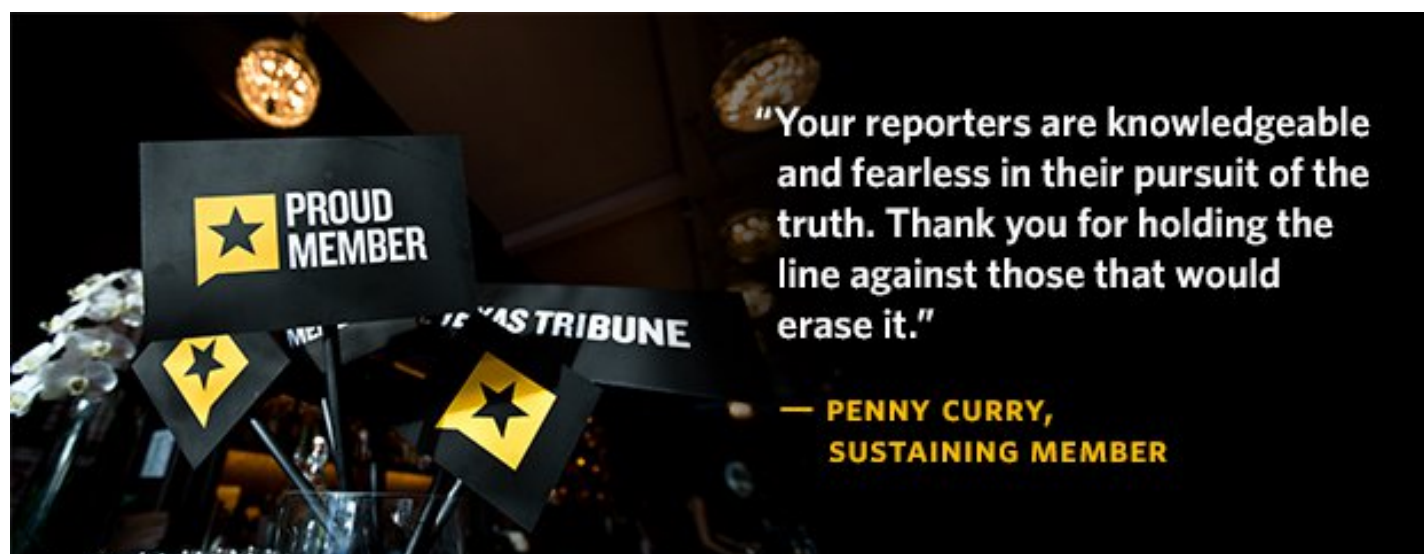
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Are Electric Vehicles Pushing Oil Demand Over a Cliff?

With China now planning to phase out gas-powered cars, automakers are talking about an all-electric future. It could mean a big drop in emissions.

BY ERICA GIES, INSIDECLIMATE NEWS

OCT 10, 2017

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Volvo, BMW and other automakers have announced plans to expand their electric vehicle fleets. One GM official declared last week: "General Motors believes in an all-electric future." Credit: Miles Willis/Getty

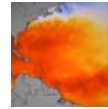
A **research note from Barclay's Bank** last week summed up what the boom in electric vehicles, along with gains in fuel efficiency, might mean for oil demand—a reduction, by 2025, almost as large as Iran's total production. And if electric vehicles seize a third of the car market by 2040, the drop in demand would be nearly as much as Saudi Arabia produces.

That kind of jaw-dropping outlook has become increasingly common in recent months amid signs that a tipping point is coming for electric vehicles.

The technology breakthroughs, market forces and government policies might also auger a peak in oil demand, and that would be a big step toward wiping out emissions of greenhouse gases from the automotive tailpipe.

From Europe to Asia, and in parts of the United States, policymakers are talking about how to make it happen.

France and Britain committed in July to ban the sales of all gasoline- and diesel-powered cars by 2040, motivated largely by health concerns about air pollution. Then **China**, the world's largest auto market, announced last month that it will set a



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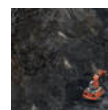
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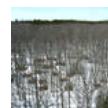
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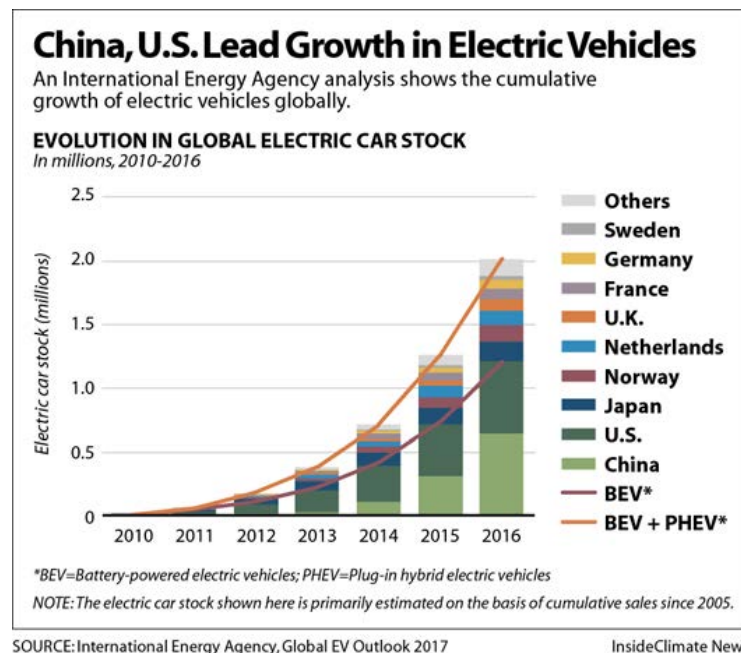


Warming Drives Unexpected Pulses of CO2 from Forest Soil

BY BOB BERWYN

deadline for automakers to stop selling internal combustion engine vehicles and **set emissions targets** for automakers. California officials said they **want to follow suit**.

Major automakers have been falling over each other in recent weeks to announce plans for electric vehicle fleets and the phase out of internal combustion cars. General Motors said it would launch **20 new all-electric models by 2023**, including two within the next 18 months. Its global products chief, Mark Reuss, **declared** that "General Motors believes in an all-electric future." It seems the question is when, not whether.



Electric vehicles still face challenges, such as range limitations, battery weight and cost, and sparse charging spots. But the industry has been steadily chipping away at them, and confidence is growing.

The IEA documented a global **60 percent growth in the EV market** from 2015 to 2016. While **EVs make up just 0.2 percent of passenger vehicles** worldwide, in six countries, their market share has surpassed 1 percent: Norway (29%), the Netherlands (6.4%), Sweden (3.4%), France, the United Kingdom and China (1.5%).



Solar Energy Boom Sets New Records, Shattering Expectations

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SPECIES ON THE MOVE

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"Norway is leading the way," said Luke Sussmas, a senior researcher at Carbon Tracker, the British think tank. Norway introduced far-sighted EV incentives in the 1990s, and this year, around 40 percent of all vehicles sold there were electric. California introduced a **modest zero-emissions vehicle policy in 1990** and has followed that with other incentives for hybrids and EVs. In the first quarter of 2017, **5 percent** of new car sales in California were zero-emissions vehicles.

But policy incentives will only take EVs so far. The real tipping point will come when they are cost-competitive with internal combustion engines.

How Soon Could EVs Be Competitive?

Gregor Macdonald, editor of the Terrajoule industry newsletter, lays out his criteria for a "competitive" electric vehicle: it must go 200 miles without recharging and be priced, without subsidies like tax credits, within \$3,000 of a comparable gasoline model. "The buyer won't even have to consider the additional savings of the lower lifetime running costs" for EVs, he said, noting that they are cheaper both to fuel and to tune up.

The Chevy Bolt and the Nissan Leaf are getting close to his criteria already, and more choices are coming from across the industry.

Volvo has **promised that all its models from 2019 on will be fully electric or hybrids**. Jaguar Land Rover made a similar promise starting in 2020, and BMW and Volkswagen announced that they were planning more electric models. Ford **is creating a new team** to accelerate its development of electric vehicles.

Macdonald thinks some EVs will be competitive worldwide by 2020. Other analysts see a longer trajectory. Kevin Book, managing director of



The Greater Sage-Grouse, which relies on its habitat in the western desert, could be in serious trouble.

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ClearView Energy Partners, thinks it will be seven to 15 years.



General Motors CEO Mary Barra and Mark Reuss, head of global product development, introduced the Chevy Bolt EV at the 2016 North American International Auto Show. The car, designed to be a long-range mass market electric vehicle, was named 2017 North American Car of the Year. Credit: Bill Pugliano/Getty

Earlier this year, Sussmas co-authored **a study for Carbon Tracker** titled "Expect the Unexpected" that predicted EVs would be cost-competitive with internal combustion engine vehicles by 2020 and have a 35 percent market share by 2035.

Oil industry forecasts tend to be much more conservative. The oil company BP, for instance, **forecasts 6 percent** of the worldwide fleet will be electric by 2035.

Many oil companies say the peak is decades away. They cite the International Energy Agency's "current policies" scenario, which finds slowing growth but no peak for oil beyond 2040—but assumes no changes in policy or technology. But some, **including Shell**, say it could come as soon as 2021, and are changing their business models accordingly.

The IEA itself sees a range of possibilities. A chart of deployment scenarios in its **2017 Global EV Outlook** shows some curves rising more sharply than the current pace of technology might suggest—and some meeting or exceeding IEA's own scenario for what's

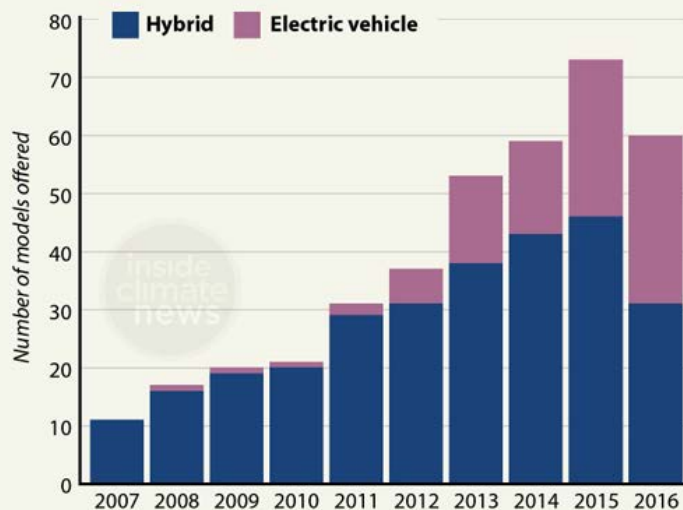
needed to achieve the goals of the international Paris climate agreement.

More Models of Electric Vehicles Hitting the Road

Over the past five years, automakers have started developing an increasing number of electric vehicle models. Plug-in hybrids helped pave the way.

ELECTRIC VEHICLE AND HYBRID MODEL OFFERINGS

Light-duty cars, pickups and SUVs, 2007-2016



SOURCES: U.S. Dept. of Energy; NREL

PAUL HORN / InsideClimate News

For its part, Carbon Tracker assumes that governments will achieve their Paris commitments and that the costs for low-carbon technologies will continue to fall rather than just stay static. The notion that costs and policies wouldn't change "is obviously a completely unrealistic proposition," Sussmas said.

Electric vehicles are just one factor influencing when global oil demand and emissions will decline; others include broader transportation demand, fuel efficiency standards and urbanization.

Carbon Tracker predicts that oil demand will peak as soon as 2020, remain somewhat flat until 2030, then drop off. It bases that analysis in part on its growth projections for EVs, which it says would displace 2 million barrels of oil use by 2035—equivalent to the supply glut that caused oil prices to crash in 2014. By 2050, EVs would take 66 percent of the market, displacing 25 million barrels a day, with "grave consequence for the industry," Sussmas said.

Samantha Gross of the Brookings Institution said the spate of government deadlines for the banning of traditional cars "seem a little early."

"They might be better off letting the market do that," she said.

But Macdonald counters that the ambitious policies are "affirming a trend that's already in place" and the distant targets set leave plenty of time for them to play out.

"In venture capitalism, startups and the history of new products, there's an old saying: the first 1 percent is the hardest," he said. For EVs, in the United States, "we weren't quite at 1 percent last year. We'll be at 2 percent next year," he says. "That's very dangerous for the auto industry."

If the automakers' recent announcements are any indication, they've gotten that memo.

In China and India, Air Pollution Drives Change

Just a few years ago, conventional wisdom held that China and India's billion-plus populations would enter the middle class, buy cars and lead U.S.-style lives, rocketing through the global carbon budget. "We just haven't seen that yet," Macdonald said. "It's not happening."

Instead, in China, toxic air pollution from coal plants and car emissions are causing human illnesses and crop failures that have sparked public protests. The government responded to the pollution problem with strong subsidies for EVs, Sussmas said.



Over 750,000 electric vehicles were sold worldwide last year, pushing the total electric car stock past 2 million. About 40 percent of the new sales were in China, according to IEA data. Credit: AFP/Getty Images

In India, oil demand **grew at 8.3 percent last year**, and Macdonald predicts ongoing growth there for another five to seven years. But it is also reaching a crisis point with air pollution, Sussmas said. This summer, India's power minister, Piyush Goyal, said that **by 2030, India is aiming for 100 percent electric vehicles**.

"I think most people think that's unrealistic and almost impossible to deliver," Sussmas acknowledged. However, such targets "are still significant to the degree they illustrate discussions behind the scenes."

Oil: Not Just for Cars

Most of the people who are saying peak oil demand is coming are focused on these shifts in private car and truck use, especially EVs and culture change, because personal vehicles use **26 percent of oil worldwide** and **45 percent** in the United States.

But other uses for oil are not so easily replaced: shipping, aviation, trucking, plastics. And that is part of the reason many oil companies feel confident in ongoing demand for their product.

"It's not that ExxonMobil is insisting that we all use them. We're still using this stuff because it works really well," said Gross, who has worked for the oil industry. Regardless, she added, "you don't need to get rid of everything to see global oil demand start peaking and declining."

What does this all mean in terms of holding the world to less than 2 degrees Celsius of warming, as nations worldwide have agreed—possibly even 1.5 degrees?

The Energy Information Agency (EIA), which is the data arm of the U.S. energy department, **recently projected** that worldwide emissions of carbon dioxide from the burning of all fossil fuels—oil, coal and gas—would grow 16 percent by 2040 from the levels of 2015, the year that the nations of the world agreed to the landmark **Paris Agreement** on **climate change** that is intended to reverse the trend.

The EIA's current **scenario** shows a slowing, but no decline, in global petroleum use. Liquid fuels, mostly petroleum based, remain the largest source of energy consumption, and with energy demand growing around the world, **so do emissions**.

For EVs to make the most of their emissions-reducing promise, the electricity sector will also have to continue its rapid shift to renewable energy sources.

And while that is beginning to happen, even the relatively optimistic Carbon Tracker doesn't see an end to warming.

The group says that if oil demand peaks in 2020, and we see declines in other fossil fuel emissions as well, the temperature rise would still exceed the Paris targets, reaching between 2.4°C (50 percent probability) and 2.7°C (66 percent probability) by 2100.

However, that's significantly less than the business-as-usual trajectory toward 4°C and beyond used by many fossil fuel companies.

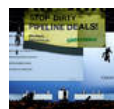
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Complaints surge about weed killer dicamba's damage to oak trees

By Johnathan Hettinger/Midwest Center for Investigative Reporting 22 hours ago



Darrell Hoemann/The Midwest Center for Investigative Reporting
Louis Nelms with a white oak tree that may have been damaged by herbicide drift in rural Atlanta, Il on September 30.

As soy bean and cotton farmers across the Midwest and South continue to see their crops ravaged from the weed killer dicamba, new complaints have pointed to the herbicide as a factor in widespread damage to oak trees.

Monsanto and BASF, two of agriculture's largest seed and pesticide providers, released versions of the dicamba this growing season. The new versions came several months after Monsanto released its latest cotton and soybean seeds genetically engineered to resist dicamba in 2016.

Since then, farmers across the Midwest and South have blamed drift from dicamba for ruining millions of acres of soy beans and cotton produced by older versions of seeds.

Now, complaints have emerged that the misuse of dicamba may be responsible for damage to oak trees in Iowa, Illinois and Tennessee.

- In Iowa, the Department of Natural Resources has received more than 1,000 complaints about oak tree damage from unknown pesticides, some of which cited dicamba as a cause.
- In Illinois, retired biologist Lou Nelms who was a researcher at the University of Illinois, has documented damage to oak trees across the state from dicamba and filed numerous complaints with Illinois Department of Agriculture.
- In Tennessee, the Department of Agriculture investigated and confirmed (<http://www.commercialappeal.com/story/news/2017/09/14/trees-reelfoot-lake-damaged-drifting-herbicide-dicamba-state-analysis-shows/647593001/>) complaints that dicamba had damaged oak trees at the state's largest natural lake.

“I’ve seen (pre-planting damage) year after year after year,” Nelms said of dicamba’s effect. “I’ve been seeing these signs for 40 years. To me, it’s just obvious.”

When reached for comment, Monsanto spokeswoman Charla Lord requested more time to respond.

But Monsanto officials have said publicly that crop damage is caused by misapplication of dicamba or the sale of the herbicide under other labels.

BASF spokeswoman Odessa Hines said the company is aware of issues with oak trees and encourages growers to contact the company with any concerns.

“We don’t believe volatility is a driving factor based on past research and experience. For Engenia herbicide to receive registration from federal and state authorities, including authorities in Illinois, we conducted and submitted results from a wide range of studies needed to fulfill regulatory requirements,” Hines said.

Lobbyist corresponds with state officials

But, in the cases of oak tree damage, internal Monsanto emails indicate that the company has tried to shift blame away from dicamba to other pesticides.

The emails were written by company lobbyists who shared them with the Illinois agriculture department. The emails were obtained through a Freedom of Information Act request.

Damage rises as weeds become resistant to Roundup

An increasing number of weeds have become resistant to glyphosate, the most widely used weed killer in agricultural production commonly known as Roundup.

In response, farmers are augmenting Roundup with other weed killers, like dicamba and 2,4-D. Both are becoming more commonly used to kill weeds before crops are planted, when trees are most susceptible to damage.

Lou Nelms, a biologist who formerly worked as a research assistant at the University of Illinois and operated a prairie seed nursery, has gone across Illinois tracking much of this damage and filing complaints with the Illinois agriculture department.

He filed his first complaint in May about damage at his home in Mason County.

Nelms filed more complaints in August about damage at the Sandra Miller Bellrose Nature Preserve, an area officially recognized by the Illinois Natural Preserve Commission, and at the 412.7 acre Revis Hill Prairie, an official state natural area.

The Monsanto correspondence followed Nelms filing complaints with the department.

Nelms filed one of his complaints on the morning of August 16, with the agriculture department about dicamba damage to oak trees at the state nature preserve Funk’s Grove.

Funk’s Grove, about 10 miles south of Bloomington, Illinois, is one of just 654 undisturbed natural areas in the state of Illinois. The 25-acre forest is famed for its sugar maples and the syrup they produce. The nature preserve, a popular destination along the famed Route 66, is also home to oak trees hundreds of years old.

But this year, the leaves on the historic oak trees “cupped” and died, exhibiting clear signs of harm from either 2,4-D or dicamba, which is the most widely used weed killer of this type, Nelms said.

Just one hour later after Nelms’ August 16 complaint, Jeff Williams, a Monsanto lobbyist based in Springfield, Illinois, sent an email to Dave Tierney, the regional director governmental affairs in Des Moines, Iowa.

In the email, Williams wrote he had talked with Warren Goetsch, deputy director of the Illinois Department of Agriculture, and Wayne Rosenthal, the director of the Illinois Department of Natural Resources the night before.

Williams wrote that they told him that Illinois was starting to receive complaints about oak trees being damaged by herbicides.



Darrell Hoemann/Midwest Center for Investigative Reporting

Oak trees with cupped leaves, a sign of damage from drifting pesticides like dicamba.

Iowa concerns

Later in the day, Tierney sent an article written by Iowa State professor Robert Hartzler (<https://crops.extension.iastate.edu/cropnews/2017/06/oak-tatters-conundrum>), writing, “Here is a good piece that really quieted the situation here in Iowa. Ironically I just talked to the head of Iowa DNR about it again today.”

Hartzler’s published his article in June as a response to media reports (<http://www.desmoinesregister.com/story/news/2017/06/07/iowas-oak-trees-sick-and-some-contented-farm-chemicals-blame/346254001/>) of about 1,000 complaints in Iowa about oak tatters, another condition where oak leaf tissue disappears along the veins. The condition, present in oak trees since the 1980s, has been linked to another Monsanto weed killer called acetochlor getting absorbed in the atmosphere and falling as rain on oak trees, according to University of Illinois research.

Hartzler wrote that the oak tatters damage was so much more severe than in past years, even though less acetochlor was being used. He said it was likely something else was causing the damage but did not mention dicamba.

Williams quickly forwarded the message to Goetsch and Rosenthal, writing, “Here you go gents ... hope this helps.”

In an interview with the Midwest Center, Hartzler, a weed scientist, said his article was about oak tatters and not dicamba damage.

Hartzler also said the damage cited in Nelms’ complaints was likely caused by dicamba, or another herbicide, 2,4-D.

“That’s definitely dicamba or a related herbicide,” Hartzler said.

Hartzler said after his piece, Monsanto approached Iowa State forestry officials about potentially researching the cause, but Monsanto’s interest waned as dicamba damage spread.

Three months later, Hartzler said he still isn’t sure why the oak tatters were so widespread. He does not believe it is dicamba or acetochlor but he has no idea why it’s so bad.

“I don’t think we have any idea what the cause is and maybe it’s acetochlor, but it just doesn’t make sense to me,” Hartzler said.

THE LEADER IN ENERGY AND ENVIRONMENT NEWS

TEXAS**After Harvey, mosquito-sprayed rice still counts as organic**

Published: Monday, October 9, 2017

The Department of Agriculture has announced that mosquito spraying in the aftermath of Hurricane Harvey did not compromise Texas' crop of organic rice, a big relief for growers.

After the storm dumped an estimated 34 trillion gallons of rain on Texas, state and federal officials asked the Air Force to blanket swaths of the state with pesticides to prevent mosquitoes from breeding in standing pools of water and spreading disease.

That put rice crops at risk. Texas is the sixth-largest rice producer in the country, but it supplies almost a third of organic rice in the United States, a product that can bring farmers about twice as much money as conventional rice if they have the proper certification.

The state's organic rice crop was second only to California's last year, raking in \$13.7 million (Lynn Brezosky, [*San Antonio Express-News*](#), Oct. 6). — NS

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Environmental Groups Worry About New EPA Haze Rule

The agency plans to let Texas power plants pursue “alternatives” to retrofiting plants with emission controls

TRAVIS BUBENIK | OCTOBER 9, 2017, 5:58 PM (LAST UPDATED: OCTOBER 10, 2017, 8:53 AM)



Dave Fehling

The Big Brown power plant in Freestone County burns coal mined nearby.



00:03 / 01:02

Environmental groups are worried the Environmental Protection Agency is giving Texas power plants a pass on pollution.

The agency has decided that plants won't need to install new emissions controls to clean up haze over national parks. The Obama Administration had pushed for the controls. Now, the EPA is planning to let Texas power plants pursue "alternatives." Those include a new "cap and trade" emissions credit program within the state.

The agency is arguing that program, combined with the state's participation in a similar national program, will lead to the same amount of emissions cuts as retrofitting old plants. Groups like the Sierra Club aren't buying it.

"Letting them pollute for longer is not really a solution," said Elena Saxonhouse, one of the group's attorneys. She claimed the EPA is wrong if you can't clean up haze the same way without the new air quality controls.

The new rule will probably face a legal challenge. University of Houston environmental law professor Victor Flatt said the rule will be tough on some coal plants.

"Mostly on the really older ones that were probably going to be gone anyways, less on the newer ones," he said.

Still, the EPA is helping those older plants with its move to override the Clean Power Plan. Together, the actions could mean a longer life for Texas coal.

Travis Bubenik

ENERGY & ENVIRONMENT REPORTER



Travis Bubenik reports on the tangled intersections of energy and the environment in Houston and across Texas. A Houston native and proud Longhorn, he returned to the Bayou City after serving as the Morning Edition Host & Reporter for Meerkat Public Radio in Far West Texas. Bubenik was previously the...

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HURRICANE NATE HALTS OVER 90 PERCENT OF GULF OIL PRODUCTION

The storm, which made landfall over the weekend, is the ninth hurricane of the current storm season.

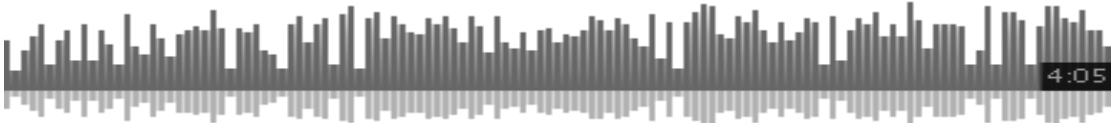


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By Alexandra Hart | October 9, 2017 1:54 pm


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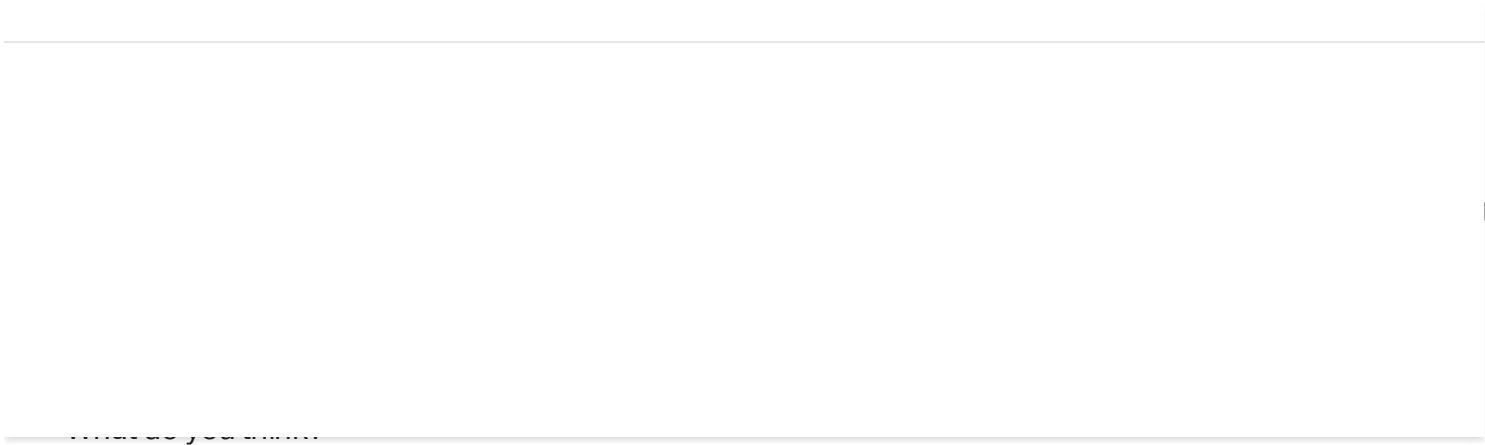
Tropical Storm Nate

Over the weekend, Hurricane Nate made landfall in Mississippi, making it the fourth storm to hit the U.S. this year. Though the hurricane missed Texas' energy-producing Gulf Coast, the oil industry did not emerge from the storm unscathed.

Matt Smith, director of commodity research at [ClipperData](#), says that Hurricane Nate's effect on the energy industry in Texas is the direct opposite of Harvey's impact. Although very few offshore refineries have been damaged due to the storm, a great many refineries in the Gulf were offline as of yesterday.

What you'll hear in this segment:

- How Hurricane Nate has affected oil production in the Gulf of Mexico
- How this hurricane period compares to those of previous years
- Who really benefits from a spike in gas prices (Hint: it's not convenience stores.)



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The E.P.A.'s Smoke and Mirrors on Climate

By RICHARD L. REVESZ and JACK LIENKE OCT. 9, 2017

The Trump administration has mangled the costs and benefits of one of the most significant climate regulations of the Obama years in an effort to justify its repeal, which Scott Pruitt, the administrator of the Environmental Protection Agency, announced on Monday.

In a leaked series of new analyses, the agency claims that jettisoning the Clean Power Plan, which limits planet-warming carbon dioxide emissions from the nation's power plants, will save electric power producers up to \$33 billion annually by 2030. But just two years ago, the agency estimated that the plan's emissions goals could be achieved at less than a fifth of that price.

Have the economics of decarbonizing the power sector really deteriorated so badly, so quickly? Only by sleight of hand, using numerical smoke and mirrors.

The reality is that since the E.P.A. conducted the analysis that accompanied the 2015 plan, the costs of zero-carbon wind and solar energy have fallen substantially, as have price forecasts for lower-carbon natural gas. Accordingly, any new E.P.A. analysis of the Clean Power Plan's costs should have found — as at least three outside assessments, including one by the American Petroleum Institute, have — that the rule's pollution targets can be achieved even more cheaply than the agency initially thought.

But the Trump administration had no interest in conducting a good-faith update of the E.P.A.'s original estimates. Instead, it relied on accounting gimmicks to greatly inflate the Clean Power Plan's projected costs and slash its expected benefits. The rule's transformation from boon to boondoggle, as laid out in a draft of Mr. Pruitt's plan to repeal it, is thus pure illusion.

For its first trick, the E.P.A.'s new leadership more than tripled the plan's projected price tag merely by changing how the agency accounts for energy savings.

Pre-Pruitt, the E.P.A. had projected that states and utilities would meet the rule's emission targets in part by investing in energy-efficiency programs that help consumers reduce energy waste. These programs offer highly cost-effective emissions cuts because the upfront expense of, say, better insulating a building is often more than offset by the resulting reductions in electric bills. Because these savings also reduce utilities' generating expenditures, they were reflected in the E.P.A.'s original estimate of the electric sector's compliance costs.

In most of its new analyses, the Pruitt-led E.P.A. ignores these savings when calculating the costs of the plan. As a result, the E.P.A.'s cost projections now include almost \$20 billion of generating expenses for electricity that the agency's own analysis shows would not be produced with the plan in place.

The agency plays down its creative arithmetic as the application of a different "accounting framework," in which energy savings are treated as a benefit of the rule rather than a cost saving. In other words, the new numbers don't reflect a changed view of the Clean Power Plan's net economic impacts. But if the change is so meaningless, why make it at all?

Probably because a rule that supposedly costs up to \$33 billion a year sounds worse than one that costs up to \$8 billion a year. And the Trump administration very much wants the Clean Power Plan to sound like a bad idea so that getting rid of it will sound like a good one.

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Having ginned up sufficiently intimidating cost estimates, the E.P.A. next set about making the plan's environmental benefits look meager. For example, the agency estimated that the rule would yield up to \$20 billion per year in avoided

harms from climate change. In the agency's new analyses, that number drops to a maximum of \$3 billion. The E.P.A.'s explanation is that, whereas its original estimate focused on global climate impacts, its new calculation is limited to harms that the plan would avoid within the United States.

But it is impossible to calculate a domestic "share" of climate damages with any accuracy. In our globally interconnected economy, major climatic (and economic) disruption in other countries will inevitably affect American pocketbooks.

And even if it were possible to isolate climate damages in the United States, it would be strategically foolish (not to mention morally indefensible) to ignore foreign harms when evaluating pollution standards. Just as carbon dioxide emitted in the United States harms other countries, emissions from other countries harm America. And under any plausible theory of international relations, it's clear that other governments are more likely to take America's interests into account when setting their pollution limits if the United States does the same.

Remarkably, even with most of the Clean Power Plan's climate benefits excluded, its overall benefits would still outweigh its costs by as much as \$28 billion in 2030. This is because, in addition to cutting carbon dioxide emissions, the shift to cleaner sources of electricity encouraged by the plan would also reduce deadly particulate matter and other harmful air pollution. The E.P.A.'s original analysis found that these reductions would result in big public health benefits — most notably, preventing up to 3,600 premature deaths each year.

And so the E.P.A. invented flimsy excuses for ignoring some — and, in the most extreme version of its analysis, all — of the rule's health benefits, too. With this final disappearing act, the Trump administration at last succeeded in making the Clean Power Plan look like a bad deal for the American people, with projected costs that outweigh projected benefits.

In the end, all of these methodological contortions are meant to obscure a very basic truth: that any "savings" achieved by rescinding the Clean Power Plan will come at an incredibly high cost to public health and welfare. If the Trump

administration is willing to make that trade, it should at least have the courage to admit it.

Richard L. Revesz is a professor and dean emeritus at the New York University School of Law, where Jack Lienke is regulatory policy director at the Institute for Policy Integrity. They are co-authors of “Struggling for Air: Power Plants and the ‘War on Coal.’ ”

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